

**UNOFFICIAL VERSION**

*This is a draft version of the Senate Journal and is UNOFFICIAL until formal adoption.*

**MONDAY, APRIL 23, 2012**

**SEVENTY-FIFTH LEGISLATIVE DAY**

**CALL TO ORDER**

The Senate met at 5:00 p.m., and was called to order by Mr. Speaker Ramsey.

**PRAYER**

The proceedings were opened with prayer by Senator Tracy.

**PLEDGE OF ALLEGIANCE**

Senator Tracy led the Senate in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The roll call was taken with the following results:

Present . . . . . 33

Senators present were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey--33.

**STANDING COMMITTEE REPORT**

**FINANCE, WAYS AND MEANS**

MR. SPEAKER: Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 1804 with amendment, 2711, 2780 with amendments, 2886 with amendment and 2913 with amendments.

MCNALLY, Chairperson  
April 23, 2012

The Speaker announced that he had referred Senate Bills Nos. 1804 with amendment, 2711, 2780 with amendments, 2886 with amendment and 2913 with amendments to the Committee on Calendar.

**PRESENTATION**

Senator Henry presented **Senate Joint Resolution No. 759** to Senator Haynes.

**PRESENTATION**

Senator Tracy presented **Senate Joint Resolution No. 499** to Jason, Kelly, Carly and Drew Beam in honor of "Spinal Muscular Atrophy (SMA) Month".

**MOTION**

Senator Norris moved that Rules 32, 33 and 37 be suspended for the introduction and immediate consideration of **Senate Joint Resolution No. 858**, out of order, which motion prevailed.

**INTRODUCTION OF RESOLUTION**

**Senate Joint Resolution No. 858** by Mr. Speaker Ramsey, Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, Massey, McNally, Norris, Overbey, Southerland, Stewart, Summerville, Tracy, Watson, Yager and Tate.  
Memorials, Public Service -- Senator Kerry E. Roberts.

On motion of Senator Norris, the rules were suspended for the immediate consideration of the resolution.

On motion, **Senate Joint Resolution No. 858** was adopted by the following vote:

Ayes .....	33
Noes .....	0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey--33.

A motion to reconsider was tabled.

**PRESENTATION**

Senator Ketron presented **Senate Joint Resolution No. 858** to Senator Roberts.

**MOTION**

Senator Norris moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **House Bills Nos. 3276, 3381 and 3431** be passed on first consideration, which motion prevailed.

**HOUSE BILLS ON FIRST CONSIDERATION**

The Speaker announced that the following House Bills were transmitted to the Senate and passed first consideration:

**House Bill No. 3276** -- Public Funds and Financing -- As introduced, authorizes county legislative body to allow trustees to invest funds in state intermediate-term investment fund. Amends TCA Section 9-4-608.

**House Bill No. 3381** -- Alcoholic Beverages -- As introduced, authorizes the Inn at Long Branch on Dale Hollow Lake in Clay County to obtain a license as a premier type tourist resort. Amends TCA Section 57-4-102.

**MONDAY, APRIL 23, 2012 -- 75TH LEGISLATIVE DAY**

**House Bill No. 3431** -- Unemployment Compensation -- As introduced, enacts the "Unemployment Insurance Accountability Act of 2012". Amends TCA Title 50.

**MOTION**

Senator Norris moved, pursuant to Rule 33 and Article II, Section 18 of the Constitution of the State of Tennessee, that **Senate Bill No. 3817** be passed on second consideration and be referred to the appropriate committee or held on the Clerk's desk, which motion prevailed.

**SENATE BILL ON SECOND CONSIDERATION**

The Speaker announced that the following bill passed second consideration and was referred to the appropriate committee or held on the Clerk's desk:

**Senate Bill No. 3817** Local bill -- held on desk.

**MOTION**

Senator Norris moved, pursuant to Rule 21, **Senate Joint Resolutions Nos. 855 through 857 and 859 through 870**; and **Senate Resolutions Nos. 108 through 122** be passed on first consideration and lie over, which motion prevailed.

**INTRODUCTION OF RESOLUTIONS**

The Speaker announced that the following resolutions were filed for introduction. Pursuant to Rule 21, the resolutions lie over.

**Senate Joint Resolution No. 855** by Senator Beavers.  
Memorials, Recognition -- General Robert Hatton Monument, 100-year rededication.

**Senate Joint Resolution No. 856** by Senator Henry.  
Memorials, Recognition -- Bob Dudley Smith.

**Senate Joint Resolution No. 857** by Senator Finney.  
Memorials, Interns -- Vann Brannon Bentley.

**Senate Joint Resolution No. 859** by Senator Overbey.  
Memorials, Professional Achievement -- Richard "Dick" Henley, 2012 TSSAA Hall of Fame.

**Senate Joint Resolution No. 860** by Senator Overbey.  
Memorials, Death -- Sandra Kay Stewart Murphy.

**Senate Joint Resolution No. 861** by Senator Overbey.  
Memorials, Recognition -- 52nd Annual East Tennessee Rhyne Reunion.

**Senate Joint Resolution No. 862** by Senator Herron.  
Memorials, Personal Occasion -- Mary Evelyn Smith Reese, 90th birthday.

**Senate Joint Resolution No. 863** by Senator Herron.  
Memorials, Sports -- Coach Boyce Rowe.

**MONDAY, APRIL 23, 2012 -- 75TH LEGISLATIVE DAY**

**Senate Joint Resolution No. 864** by Senator Herron.  
Memorials, Recognition -- Blake Gallimore.

**Senate Joint Resolution No. 865** by Senator Herron.  
Memorials, Death -- Don Lovelace.

**Senate Joint Resolution No. 866** by Senator Herron.  
Memorials, Academic Achievement -- Sean Stapleton, 2011 National Merit Scholarship Program Finalist.

**Senate Joint Resolution No. 867** by Senator Herron.  
Memorials, Death -- Elihu Meador.

**Senate Joint Resolution No. 868** by Senator Herron.  
Memorials, Retirement -- Jerry P. Simmons.

**Senate Joint Resolution No. 869** by Senators Marrero and Herron.  
Memorials, Sports -- Cooper Yeshiva basketball team.

**Senate Joint Resolution No. 870** by Senator Gresham.  
Memorials, Retirement -- Dr. Donald L. Hopper.

**Senate Resolution No. 108** by Senators Berke and Watson.  
Memorials, Academic Achievement -- Tiara Rashael Boston, Valedictorian, Brainerd High School.

**Senate Resolution No. 109** by Senators Berke and Watson.  
Memorials, Interns -- Corey Durand Hemphill, Salutatorian, Brainerd High School.

**Senate Resolution No. 110** by Senators Berke and Watson.  
Memorials, Academic Achievement -- Matthew Charles Kelly, Valedictorian, Soddy Daisy High School.

**Senate Resolution No. 111** by Senators Berke and Watson.  
Memorials, Academic Achievement -- Nicole Frances Lloyd, Salutatorian, Soddy Daisy High School.

**Senate Resolution No. 112** by Senators Berke and Watson.  
Memorials, Academic Achievement -- Hayley Rebecca Beene, Valedictorian, Lookout Valley High School.

**Senate Resolution No. 113** by Senators Berke and Watson.  
Memorials, Academic Achievement -- Clayton Scott Fuller, Salutatorian, Lookout Valley High School.

**Senate Resolution No. 114** by Senator Watson.  
Memorials, Academic Achievement -- Haven Marie Bush, Valedictorian, Sale Creek High School.

**Senate Resolution No. 115** by Senator Watson.  
Memorials, Academic Achievement -- Makinzie Lauren Reavley, Salutatorian, Sale Creek High School.

**Senate Resolution No. 116** by Senator Watson.  
Memorials, Academic Achievement -- Rachel Joan Shelton, Salutatorian, Central High School.

**MONDAY, APRIL 23, 2012 -- 75TH LEGISLATIVE DAY**

**Senate Resolution No. 117** by Senator Watson.

Memorials, Academic Achievement -- Dora Jeannine Harper, Salutatorian, Central High School.

**Senate Resolution No. 118** by Senator Watson.

Memorials, Academic Achievement -- Elsie Yah-Huei Chang, Valedictorian, Central High School.

**Senate Resolution No. 119** by Senator Watson.

Memorials, Academic Achievement -- Kaitlyn Victoria Curtis, Salutatorian, Red Bank High School.

**Senate Resolution No. 120** by Senator Watson.

Memorials, Academic Achievement -- Alexandria Argelia Oviatt, Valedictorian, Red Bank High School.

**Senate Resolution No. 121** by Senator Johnson.

Memorials, Interns -- Sara R. Bryant.

**Senate Resolution No. 122** by Senator Gresham.

Memorials, Death -- Lonnie Jerome Emanus.

**MOTION**

Senator Norris moved, pursuant to Rule 21, **House Joint Resolutions Nos. 824, 847, 978, 979, 981 through 984, 986 and 987; Senate Joint Resolutions Nos. 850 through 854; and Senate Resolutions Nos. 98 through 106** lie over and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

**RESOLUTIONS LYING OVER**

The Speaker announced that the following resolutions passed second consideration and were referred to the appropriate committees or held on the desk, pursuant to Rule 21:

**House Joint Resolution No. 824** -- Memorials, Public Service -- Representative Bill Harmon.

The Speaker announced that he had referred House Joint Resolution No. 824 to the Committee on Calendar.

**House Joint Resolution No. 847** -- Memorials, Public Service -- Speaker Emeritus Jimmy Naifeh.

The Speaker announced that he had referred House Joint Resolution No. 847 to the Committee on Calendar.

**House Joint Resolution No. 978** -- Memorials, Personal Occasion -- Barbara and Sam Freeman, 50th wedding anniversary.

The Speaker announced that he had referred House Joint Resolution No. 978 to the Committee on Calendar.

**MONDAY, APRIL 23, 2012 -- 75TH LEGISLATIVE DAY**

**House Joint Resolution No. 979** -- Memorials, Interns -- Suzanne Elizabeth Carr.

The Speaker announced that he had referred House Joint Resolution No. 979 to the Committee on Calendar.

**House Joint Resolution No. 981** -- Memorials, Interns -- Stephen Thomas Doyle.

The Speaker announced that he had referred House Joint Resolution No. 981 to the Committee on Calendar.

**House Joint Resolution No. 982** -- Memorials, Recognition -- WUTM 90.3 The Hawk, Abraham and Borst Award for Best Overall Radio Station in the Nation.

The Speaker announced that he had referred House Joint Resolution No. 982 to the Committee on Calendar.

**House Joint Resolution No. 983** -- Memorials, Personal Achievement -- Andrew Robert Quilliams, Eagle Scout.

The Speaker announced that he had referred House Joint Resolution No. 983 to the Committee on Calendar.

**House Joint Resolution No. 984** -- Memorials, Interns -- Kristi Roberts.

The Speaker announced that he had referred House Joint Resolution No. 984 to the Committee on Calendar.

**House Joint Resolution No. 986** -- Memorials, Recognition -- Mount Vernon Missionary Baptist Church, 110th anniversary.

The Speaker announced that he had referred House Joint Resolution No. 986 to the Committee on Calendar.

**House Joint Resolution No. 987** -- Memorials, Recognition -- Gallatin Lions Club, 75th anniversary.

The Speaker announced that he had referred House Joint Resolution No. 987 to the Committee on Calendar.

**Senate Joint Resolution No. 850** -- Memorials, Interns -- Alex Brown.

The Speaker announced that he had referred Senate Joint Resolution No. 850 to the Committee on Calendar.

**Senate Joint Resolution No. 851** -- Memorials, Retirement -- Dr. Daniel Kellum.

The Speaker announced that he had referred Senate Joint Resolution No. 851 to the Committee on Calendar.

**Senate Joint Resolution No. 852** -- Memorials, Heroism -- McKinley Harding Choate.

**MONDAY, APRIL 23, 2012 -- 75TH LEGISLATIVE DAY**

The Speaker announced that he had referred Senate Joint Resolution No. 852 to the Committee on Calendar.

**Senate Joint Resolution No. 853** -- Memorials, Interns -- Alexa Spata.

The Speaker announced that he had referred Senate Joint Resolution No. 853 to the Committee on Calendar.

**Senate Joint Resolution No. 854** -- Memorials, Interns -- James Parker.

The Speaker announced that he had referred Senate Joint Resolution No. 854 to the Committee on Calendar.

**Senate Resolution No. 98** -- Memorials, Academic Achievement -- Carmen Traci Wooden, Valedictorian, South Pittsburg High School.

The Speaker announced that he had referred Senate Resolution No. 98 to the Committee on Calendar.

**Senate Resolution No. 99** -- Memorials, Academic Achievement -- Victoria Ryann King, Salutatorian, South Pittsburg High School.

The Speaker announced that he had referred Senate Resolution No. 99 to the Committee on Calendar.

**Senate Resolution No. 100** -- Memorials, Academic Achievement -- Matthew Jesse Whisenant, Valedictorian, East Ridge High School.

The Speaker announced that he had referred Senate Resolution No. 100 to the Committee on Calendar.

**Senate Resolution No. 101** -- Memorials, Academic Achievement -- Alex Brandon Shuford, Salutatorian, Hixson High School.

The Speaker announced that he had referred Senate Resolution No. 101 to the Committee on Calendar.

**Senate Resolution No. 102** -- Memorials, Academic Achievement -- Nathan James Burriss, Valedictorian, Hixson High School.

The Speaker announced that he had referred Senate Resolution No. 102 to the Committee on Calendar.

**Senate Resolution No. 103** -- Memorials, Academic Achievement -- Breanna D. Glenn, Salutatorian, Howard School of Academics and Technology.

The Speaker announced that he had referred Senate Resolution No. 103 to the Committee on Calendar.

**Senate Resolution No. 104** -- Memorials, Academic Achievement -- Derquazia Deshun Smartt, Valedictorian, Howard School of Academics and Technology.

**MONDAY, APRIL 23, 2012 -- 75TH LEGISLATIVE DAY**

The Speaker announced that he had referred Senate Resolution No. 104 to the Committee on Calendar.

**Senate Resolution No. 105** -- Memorials, Academic Achievement -- Stephanie Amber Tatum, Salutatorian, East Ridge High School.

The Speaker announced that he had referred Senate Resolution No. 105 to the Committee on Calendar.

**Senate Resolution No. 106** -- Memorials, Interns -- Matthew Addison Rudder.

The Speaker announced that he had referred Senate Resolution No. 106 to the Committee on Calendar.

**MOTION**

Senator Herron moved that Rules 32, 33 and 37 be suspended for the introduction and immediate consideration of **Senate Joint Resolution No. 878**, out of order, which motion prevailed.

**INTRODUCTION OF RESOLUTION**

**Senate Joint Resolution No. 878** by Senator Herron.  
Memorials, Recognition -- Pat Head Summitt.

On motion of Senator Herron, the rules were suspended for the immediate consideration of the resolution.

On motion, **Senate Joint Resolution No. 878** was adopted by the following vote:

Ayes . . . . . 33  
Noes . . . . . 0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey--33.

A motion to reconsider was tabled.

**MOTION**

Senator Roberts moved that Rules 32, 33 and 37 be suspended for the introduction and immediate consideration of **Senate Joint Resolution No. 886**, out of order, which motion prevailed.

**INTRODUCTION OF RESOLUTION**

**Senate Joint Resolution No. 886** by Senator Roberts.  
Memorials, Retirement -- Hugh Braddock.

On motion of Senator Roberts, the rules were suspended for the immediate consideration of the resolution.



**MONDAY, APRIL 23, 2012 -- 75TH LEGISLATIVE DAY**

On motion, **Senate Joint Resolution No. 886** was adopted.

A motion to reconsider was tabled.

**MOTION**

Senator Johnson moved that Rules 32, 33 and 37 be suspended for the introduction and immediate consideration of **Senate Joint Resolution No. 872**, out of order, which motion prevailed.

**INTRODUCTION OF RESOLUTION**

**Senate Joint Resolution No. 872** by Senator Johnson.  
Memorials, Retirement -- Judy Fox Jackson.

On motion of Senator Johnson, the rules were suspended for the immediate consideration of the resolution.

On motion, **Senate Joint Resolution No. 872** was adopted.

A motion to reconsider was tabled.

**NOTICE**

**THE ANNUAL REPORT ON CHILDREN AND YOUTH**

The report was received and filed with the Clerk.

**MOTION**

Senator Faulk moved that Rules 19 and 38 be suspended for the purpose of considering Consent Calendar No. 1 next, which motion prevailed.

**CONSENT CALENDAR NO. 1**

**Senate Joint Resolution No. 781** -- Memorials, Academic Achievement -- Biana Fair, Salutatorian, Hamilton High School.

**Senate Joint Resolution No. 782** -- Memorials, Academic Achievement -- Darwin Dauine Denton, Valedictorian, Hamilton High School.

**Senate Joint Resolution No. 786** -- Memorials, Personal Occasion -- Kathleen and Hobert Campbell, 50th wedding anniversary.

**Senate Joint Resolution No. 787** -- Memorials, Academic Achievement -- Cody Lynn Burton, Valedictorian, Upperman High School.

**Senate Joint Resolution No. 788** -- Memorials, Academic Achievement -- Candace Nicole Wallace, Salutatorian, Upperman High School.

**MONDAY, APRIL 23, 2012 -- 75TH LEGISLATIVE DAY**

**Senate Joint Resolution No. 789** -- Memorials, Academic Achievement -- Lisa Yuyang Gong, Salutatorian, Cookeville High School.

**Senate Joint Resolution No. 790** -- Memorials, Academic Achievement -- Kiara Wenhan Cui, Valedictorian, Cookeville High School.

**Senate Joint Resolution No. 791** -- Memorials, Academic Achievement -- Abigayle Marie Clafin, Valedictorian, Cumberland County High School.

**Senate Joint Resolution No. 792** -- Memorials, Academic Achievement -- Andrew Barlow, Salutatorian, Monterey High School.

**Senate Joint Resolution No. 793** -- Memorials, Academic Achievement -- Taylor Nicole Vaden, Salutatorian, Cumberland County High School.

**Senate Joint Resolution No. 794** -- Memorials, Academic Achievement -- Whitney Phillips, Valedictorian, Monterey High School.

**Senate Joint Resolution No. 795** -- Memorials, Academic Achievement -- Andrew Frasier Holland, Salutatorian, White County High School.

**Senate Joint Resolution No. 796** -- Memorials, Academic Achievement -- Emily Belle Henry, Valedictorian, White County High School.

**Senate Joint Resolution No. 797** -- Memorials, Academic Achievement -- Katherine Suzanne Lyon, Valedictorian, Stone Memorial High School.

**Senate Joint Resolution No. 798** -- Memorials, Academic Achievement -- Anna Lauren Smith, Salutatorian, Stone Memorial High School.

**Senate Joint Resolution No. 799** -- Memorials, Death -- Ms. Erma Lee Laws.

**Senate Joint Resolution No. 800** -- Memorials, Recognition -- Wilson Bank & Trust, 25th anniversary.

**Senate Joint Resolution No. 801** -- Memorials, Interns -- John Brock.

**Senate Joint Resolution No. 802** -- Memorials, Interns -- Mina Mossad.

**Senate Joint Resolution No. 803** -- Memorials, Death -- Earl Eugene Scruggs.

**Senate Joint Resolution No. 804** -- Memorials, Academic Achievement -- Javon Michael Ford, Valedictorian, Ridgeway High School.

**Senate Joint Resolution No. 805** -- Memorials, Academic Achievement -- Esteban Andres Pilo-Pais, Salutatorian, Ridgeway High School.

**Senate Joint Resolution No. 807** -- Memorials, Interns -- Thomas Kyle Turner.

**Senate Joint Resolution No. 808** -- Memorials, Interns -- Michael Anthony Ripley.

**MONDAY, APRIL 23, 2012 -- 75TH LEGISLATIVE DAY**

**Senate Joint Resolution No. 809** -- Memorials, Academic Achievement -- Ivan Chesterfield Biggs, Valedictorian, Cheatham County Central High School.

**Senate Joint Resolution No. 810** -- Memorials, Academic Achievement -- Kayla Elizabeth Winters, Salutatorian, Cheatham County Central High School.

**Senate Joint Resolution No. 811** -- Memorials, Academic Achievement -- Destiny Nicole LaGarce, Valedictorian, Sycamore High School.

**Senate Joint Resolution No. 812** -- Memorials, Academic Achievement -- Kristin Hope Knight, Salutatorian, Sycamore High School.

**Senate Joint Resolution No. 813** -- Memorials, Academic Achievement -- Anna Claire Robinson, Valedictorian, Harpeth High School.

**Senate Joint Resolution No. 814** -- Memorials, Academic Achievement -- Connor Andrew Reed, Valedictorian, Academy for Academic Excellence.

**Senate Joint Resolution No. 815** -- Memorials, Academic Achievement -- Ross Manley Svanberg, Salutatorian, Academy for Academic Excellence.

**Senate Joint Resolution No. 816** -- Memorials, Academic Achievement -- Martha Dawson Nicholson, Valedictorian, Clarksville Academy.

**Senate Joint Resolution No. 817** -- Memorials, Academic Achievement -- Lauren Elizabeth Maki, Salutatorian, Clarksville Academy.

**Senate Joint Resolution No. 818** -- Memorials, Academic Achievement -- Skyler Daniel Gordon, Valedictorian, Northeast High School.

**Senate Joint Resolution No. 819** -- Memorials, Academic Achievement -- Joseph Eugene Dallas, Salutatorian, Northeast High School.

**Senate Joint Resolution No. 820** -- Memorials, Academic Achievement -- Newton Earl Garner, Valedictorian, Northwest High School.

**Senate Joint Resolution No. 821** -- Memorials, Academic Achievement -- Della Margaret Coleman, Salutatorian, Northwest High School.

**Senate Joint Resolution No. 822** -- Memorials, Academic Achievement -- Kaitlyn Nichole Butler, Valedictorian, Rossview High School.

**Senate Joint Resolution No. 823** -- Memorials, Academic Achievement -- Caitlin Dawn Campbell, Salutatorian, Rossview High School.

**Senate Joint Resolution No. 824** -- Memorials, Academic Achievement -- Adriana Isabel Larsen, Valedictorian, West Creek High School.

**Senate Joint Resolution No. 825** -- Memorials, Academic Achievement -- Austin Richard Wyer, Salutatorian, West Creek High School.

**MONDAY, APRIL 23, 2012 -- 75TH LEGISLATIVE DAY**

**Senate Joint Resolution No. 826** -- Memorials, Academic Achievement -- Geneva Mei Brennan Vezeau, Valedictorian, Clarksville High School.

**Senate Joint Resolution No. 827** -- Memorials, Academic Achievement -- Mariah Paige Beane, Salutatorian, Clarksville High School.

**Senate Joint Resolution No. 828** -- Memorials, Academic Achievement -- Alicia Marie Kingston, Valedictorian, Kenwood High School.

**Senate Joint Resolution No. 829** -- Memorials, Academic Achievement -- Lisa Ann Mitchell, Salutatorian, Kenwood High School.

**Senate Joint Resolution No. 830** -- Memorials, Academic Achievement -- Kristyn Leigh Simpson, Valedictorian, Montgomery Central High School.

**Senate Joint Resolution No. 831** -- Memorials, Academic Achievement -- Lauren Nicole Bone, Salutatorian, Montgomery Central High School.

**Senate Joint Resolution No. 832** -- Memorials, Recognition -- Julia Hopper Daniel.

**Senate Joint Resolution No. 833** -- Memorials, Recognition -- Dr. Joyce G. Crouch.

**Senate Joint Resolution No. 834** -- Memorials, Recognition -- Ken Croom, Chamber of Commerce Businessman of the Year.

**Senate Joint Resolution No. 835** -- Memorials, Recognition -- Dan Sanders, Chamber of Commerce Ambassador of the Year Award.

**Senate Joint Resolution No. 836** -- Memorials, Recognition -- Christine Ralph, Chamber of Commerce Volunteer of the Year.

**Senate Joint Resolution No. 837** -- Memorials, Death -- Julene Purser Morgan.

**Senate Joint Resolution No. 838** -- Memorials, Recognition -- Walt Goolsby.

**Senate Joint Resolution No. 839** -- Memorials, Recognition -- Wilma Brummett.

**Senate Joint Resolution No. 840** -- Memorials, Recognition -- Loretta Painter.

**Senate Joint Resolution No. 841** -- Memorials, Academic Achievement -- Kaitlyn Elizabeth Boggs, Valedictorian, Houston County High School.

**Senate Joint Resolution No. 842** -- Memorials, Academic Achievement -- Justin Andrew Cockrell, Valedictorian, Houston County High School.

**Senate Joint Resolution No. 843** -- Memorials, Academic Achievement -- Teresa Jill Mitchell, Valedictorian, Houston County High School.

**Senate Joint Resolution No. 844** -- Memorials, Academic Achievement -- Kelli Nicole Parker, Valedictorian, Houston County High School.

**MONDAY, APRIL 23, 2012 -- 75TH LEGISLATIVE DAY**

**Senate Joint Resolution No. 845** -- Memorials, Academic Achievement -- Riley Elizabeth Pitts, Valedictorian, Houston County High School.

**Senate Joint Resolution No. 846** -- Memorials, Academic Achievement -- Sean John-Robert Settle, Valedictorian, Houston County High School.

**Senate Joint Resolution No. 847** -- Memorials, Academic Achievement -- Sarah Jessica Thibault, Valedictorian, Houston County High School.

**Senate Joint Resolution No. 848** -- Memorials, Academic Achievement -- Quinton Craig Roby, Salutatorian, Houston County High School.

**Senate Joint Resolution No. 849** -- Memorials, Retirement -- Sergeant First Class Edward Tyree.

**Senate Joint Resolution No. 850** -- Memorials, Interns -- Alex Brown.

**Senate Joint Resolution No. 851** -- Memorials, Retirement -- Dr. Daniel Kellum.

**Senate Joint Resolution No. 852** -- Memorials, Heroism -- McKinley Harding Choate.

**Senate Joint Resolution No. 853** -- Memorials, Interns -- Alexa Spata.

**Senate Joint Resolution No. 854** -- Memorials, Interns -- James Parker.

**Senate Joint Resolution No. 855** -- Memorials, Recognition -- General Robert Hatton Monument, 100-year rededication.

**Senate Joint Resolution No. 856** -- Memorials, Recognition -- Bob Dudley Smith.

**Senate Joint Resolution No. 857** -- Memorials, Interns -- Vann Brannon Bentley.

**Senate Joint Resolution No. 859** -- Memorials, Professional Achievement -- Richard "Dick" Henley, 2012 TSSAA Hall of Fame.

**Senate Joint Resolution No. 860** -- Memorials, Death -- Sandra Kay Stewart Murphy.

**Senate Joint Resolution No. 861** -- Memorials, Recognition -- 52nd Annual East Tennessee Rhyne Reunion.

**Senate Joint Resolution No. 862** -- Memorials, Personal Occasion -- Mary Evelyn Smith Reese, 90th birthday.

**Senate Joint Resolution No. 863** -- Memorials, Sports -- Coach Boyce Rowe.

**Senate Joint Resolution No. 864** -- Memorials, Recognition -- Blake Gallimore.

**Senate Joint Resolution No. 865** -- Memorials, Death -- Don Lovelace.

**MONDAY, APRIL 23, 2012 -- 75TH LEGISLATIVE DAY**

**Senate Joint Resolution No. 866** -- Memorials, Academic Achievement -- Sean Stapleton, 2011 National Merit Scholarship Program Finalist.

**Senate Joint Resolution No. 867** -- Memorials, Death -- Elihu Meador.

**Senate Joint Resolution No. 868** -- Memorials, Retirement -- Jerry P. Simmons.

**Senate Joint Resolution No. 869** -- Memorials, Sports -- Cooper Yeshiva basketball team.

**Senate Resolution No. 98** -- Memorials, Academic Achievement -- Carmen Traci Wooden, Valedictorian, South Pittsburg High School.

**Senate Resolution No. 99** -- Memorials, Academic Achievement -- Victoria Ryann King, Salutatorian, South Pittsburg High School.

**Senate Resolution No. 100** -- Memorials, Academic Achievement -- Matthew Jesse Whisenant, Valedictorian, East Ridge High School.

**Senate Resolution No. 101** -- Memorials, Academic Achievement -- Alex Brandon Shuford, Salutatorian, Hixson High School.

**Senate Resolution No. 102** -- Memorials, Academic Achievement -- Nathan James Burriss, Valedictorian, Hixson High School.

**Senate Resolution No. 103** -- Memorials, Academic Achievement -- Breanna D. Glenn, Salutatorian, Howard School of Academics and Technology.

**Senate Resolution No. 104** -- Memorials, Academic Achievement -- Derquazia Deshun Smartt, Valedictorian, Howard School of Academics and Technology.

**Senate Resolution No. 105** -- Memorials, Academic Achievement -- Stephanie Amber Tatum, Salutatorian, East Ridge High School.

**Senate Resolution No. 106** -- Memorials, Interns -- Matthew Addison Rudder.

**Senate Resolution No. 108** -- Memorials, Academic Achievement -- Tiara Rashael Boston, Valedictorian, Brainerd High School.

**Senate Resolution No. 109** -- Memorials, Interns -- Corey Durand Hemphill, Salutatorian, Brainerd High School.

**Senate Resolution No. 110** -- Memorials, Academic Achievement -- Matthew Charles Kelly, Valedictorian, Soddy Daisy High School.

**Senate Resolution No. 111** -- Memorials, Academic Achievement -- Nicole Frances Lloyd, Salutatorian, Soddy Daisy High School.

**Senate Resolution No. 112** -- Memorials, Academic Achievement -- Hayley Rebecca Beene, Valedictorian, Lookout Valley High School.

**MONDAY, APRIL 23, 2012 -- 75TH LEGISLATIVE DAY**

**Senate Resolution No. 113** -- Memorials, Academic Achievement -- Clayton Scott Fuller, Salutatorian, Lookout Valley High School.

**Senate Resolution No. 114** -- Memorials, Academic Achievement -- Haven Marie Bush, Valedictorian, Sale Creek High School.

**Senate Resolution No. 115** -- Memorials, Academic Achievement -- Makinzie Lauren Reavley, Salutatorian, Sale Creek High School.

**Senate Resolution No. 116** -- Memorials, Academic Achievement -- Rachel Joan Shelton, Salutatorian, Central High School.

**Senate Resolution No. 117** -- Memorials, Academic Achievement -- Dora Jeannine Harper, Salutatorian, Central High School.

**Senate Resolution No. 118** -- Memorials, Academic Achievement -- Elsie Yah-Huei Chang, Valedictorian, Central High School.

**Senate Resolution No. 119** -- Memorials, Academic Achievement -- Kaitlyn Victoria Curtis, Salutatorian, Red Bank High School.

**Senate Resolution No. 120** -- Memorials, Academic Achievement -- Alexandria Argelia Oviatt, Valedictorian, Red Bank High School.

**Senate Resolution No. 121** -- Memorials, Interns -- Sara R. Bryant.

**House Joint Resolution No. 636** -- Naming and Designating -- "Tennessee Recyclers Day" in Tennessee, April 26, 2012.

**House Joint Resolution No. 773** -- Memorials, Public Service -- Representative Eddie Bass.

**House Joint Resolution No. 783** -- Memorials, Public Service -- Representative Janis Baird Sontany.

**House Joint Resolution No. 824** -- Memorials, Public Service -- Representative Bill Harmon.

**House Joint Resolution No. 843** -- Memorials, Public Service -- Representative Harry Tindell.

**House Joint Resolution No. 847** -- Memorials, Public Service -- Speaker Emeritus Jimmy Naifeh.

**House Joint Resolution No. 914** -- Memorials, Interns -- Kirstin Leigh Cheers.

**House Joint Resolution No. 915** -- Memorials, Death -- Erma Lee Laws.

**House Joint Resolution No. 917** -- Memorials, Interns -- Terry Edwards, Jr.

**House Joint Resolution No. 918** -- Memorials, Death -- Sheril Elliott.

**MONDAY, APRIL 23, 2012 -- 75TH LEGISLATIVE DAY**

**House Joint Resolution No. 919** -- Memorials, Academic Achievement -- Wesley Jeffers, Salutatorian, Oneida High School.

**House Joint Resolution No. 920** -- Memorials, Academic Achievement -- Shawna Simpson, Valedictorian, Scott County High School.

**House Joint Resolution No. 921** -- Memorials, Academic Achievement -- Taylon Brewster, Salutatorian, Scott County High School.

**House Joint Resolution No. 922** -- Memorials, Academic Achievement -- Emily Hamlett, Salutatorian, Scott County High School.

**House Joint Resolution No. 923** -- Memorials, Academic Achievement -- Sydney Lovett, Valedictorian, Oneida High School.

**House Joint Resolution No. 924** -- Memorials, Academic Achievement -- Shaun Boles, Salutatorian, Jackson County High School.

**House Joint Resolution No. 925** -- Memorials, Academic Achievement -- Alyssa Stafford, Valedictorian, Jackson County High School.

**House Joint Resolution No. 926** -- Memorials, Academic Achievement -- Jane Anne Suiter, Salutatorian, Pickett County High School.

**House Joint Resolution No. 927** -- Memorials, Academic Achievement -- Stuart Neal, Valedictorian, Pickett County High School.

**House Joint Resolution No. 928** -- Memorials, Personal Achievement -- Jesse Malenfant, Eagle Scout.

**House Joint Resolution No. 929** -- Memorials, Academic Achievement -- Susanna Gabriel Sneed, Salutatorian, Maryville High School.

**House Joint Resolution No. 930** -- Memorials, Academic Achievement -- Bradley Hayes Vorjohan, Valedictorian, Maryville High School.

**House Joint Resolution No. 931** -- Memorials, Recognition -- Watertown High School, 100th anniversary.

**House Joint Resolution No. 932** -- Memorials, Recognition -- Richard Sterban.

**House Joint Resolution No. 934** -- Memorials, Public Service -- Representative Phillip Johnson.

**House Joint Resolution No. 935** -- Memorials, Public Service -- Representative Scotty Campbell.

**House Joint Resolution No. 937** -- Memorials, Death -- Autumn Ford Jennings.

**House Joint Resolution No. 938** -- Memorials, Recognition -- Ryan Dalton, Director of Anti-trafficking Operations with Operation Broken Silence.



**MONDAY, APRIL 23, 2012 -- 75TH LEGISLATIVE DAY**

**House Joint Resolution No. 939** -- Memorials, Interns -- Anika A. Evans.

**House Joint Resolution No. 940** -- Memorials, Interns -- Kirbi M. Tucker.

**House Joint Resolution No. 941** -- Memorials, Personal Achievement -- Christopher Andrew Neal, Eagle Scout.

**House Joint Resolution No. 942** -- Memorials, Recognition -- Bill Ketchum.

**House Joint Resolution No. 943** -- Memorials, Academic Achievement -- Amber Ruth Shults, Valedictorian, Maryville Christian School.

**House Joint Resolution No. 944** -- Memorials, Academic Achievement -- David Christopher Keylon, Salutatorian, Maryville Christian School.

**House Joint Resolution No. 945** -- Memorials, Academic Achievement -- Emily Magee Guillaume, Valedictorian, William Blount High School.

**House Joint Resolution No. 946** -- Memorials, Academic Achievement -- Adam Michael Barton, Salutatorian, William Blount High School.

**House Joint Resolution No. 948** -- Memorials, Interns -- Demetria Johnson.

**House Joint Resolution No. 949** -- Memorials, Recognition -- Kinser Church of God, 100th anniversary.

**House Joint Resolution No. 950** -- Memorials, Recognition -- Tennessee Scholastic Clay Target Program.

**House Joint Resolution No. 951** -- Memorials, Interns -- Charles Michael Robinson.

**House Joint Resolution No. 952** -- Memorials, Death -- William Ralph Cole.

**House Joint Resolution No. 954** -- Memorials, Professional Achievement -- Debbie Maples, Lewis County Elementary School Teacher of the Year.

**House Joint Resolution No. 955** -- Memorials, Professional Achievement -- Judy Duncan, Lewis County Intermediate School Teacher of the Year.

**House Joint Resolution No. 956** -- Memorials, Professional Achievement -- Jim Milan, Lewis County High School Teacher of the Year.

**House Joint Resolution No. 957** -- Memorials, Professional Achievement -- Sue Sharp, Lewis County Middle School Teacher of the Year.

**House Joint Resolution No. 958** -- Memorials, Recognition -- Tennessee State University, 100th anniversary of founding.

**House Joint Resolution No. 959** -- Memorials, Personal Occasion -- Etta Mae Driver Rayborn, 75th birthday.

**MONDAY, APRIL 23, 2012 -- 75TH LEGISLATIVE DAY**

**House Joint Resolution No. 961** -- Memorials, Recognition -- Saint Mark Missionary Baptist Church.

**House Joint Resolution No. 962** -- Memorials, Retirement -- Dr. Doyle Meadows.

**House Joint Resolution No. 963** -- Memorials, Retirement -- Lieutenant Richard Earl Cash, THP.

**House Joint Resolution No. 964** -- Memorials, Recognition -- Zackary "Google" Welch.

**House Joint Resolution No. 966** -- Memorials, Recognition -- Williamson County Association of Realtors, 50th anniversary.

**House Joint Resolution No. 967** -- Memorials, Recognition -- Christian Brothers Band, 140th anniversary.

**House Joint Resolution No. 968** -- Memorials, Recognition -- Lake Forest Middle School show choir.

**House Joint Resolution No. 969** -- Memorials, Interns -- Bruce Harbin.

**House Joint Resolution No. 970** -- Memorials, Recognition -- Bethel University.

**House Joint Resolution No. 971** -- Memorials, Interns -- Cassiah Smith.

**House Joint Resolution No. 972** -- Memorials, Interns -- Byron Glenn.

**House Joint Resolution No. 973** -- Memorials, Interns -- Angel Dunson.

**House Joint Resolution No. 974** -- Memorials, Professional Achievement -- Sherri Brinkley, East Tennessee ESL Teacher of the Year.

**House Joint Resolution No. 975** -- Memorials, Professional Achievement -- Glenn McNish, George L. Hunter Distinguished Service Award and Greater Knoxville Sports Hall of Fame.

**House Joint Resolution No. 976** -- Memorials, Recognition -- Jimmy Wayne.

**House Joint Resolution No. 977** -- Memorials, Retirement -- Kay Garrison.

**House Joint Resolution No. 978** -- Memorials, Personal Occasion -- Barbara and Sam Freeman, 50th wedding anniversary.

**House Joint Resolution No. 979** -- Memorials, Interns -- Suzanne Elizabeth Carr.

**House Joint Resolution No. 981** -- Memorials, Interns -- Stephen Thomas Doyle.

**House Joint Resolution No. 982** -- Memorials, Recognition -- WUTM 90.3 The Hawk, Abraham and Borst Award for Best Overall Radio Station in the Nation.

**House Joint Resolution No. 983** -- Memorials, Personal Achievement -- Andrew Robert Quilliams, Eagle Scout.

**House Joint Resolution No. 984** -- Memorials, Interns -- Kristi Roberts.

**House Joint Resolution No. 986** -- Memorials, Recognition -- Mount Vernon Missionary Baptist Church, 110th anniversary.

**House Joint Resolution No. 987** -- Memorials, Recognition -- Gallatin Lions Club, 75th anniversary.

Senator Faulk moved that all Senate Joint Resolutions and Senate Resolutions be adopted; and all House Joint Resolutions be concurred in, which motion prevailed by the following vote:

Ayes . . . . . 29  
Noes . . . . . 0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, Massey, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Yager and Mr. Speaker Ramsey--29.

A motion to reconsider was tabled.

**CONSENT CALENDAR NO. 2**

**Senate Bill No. 2922** -- Sexual Offenders -- As introduced, provides that if a sexual offender is not incarcerated at the time of sentencing, the offender is to report to a probation officer for the purpose of giving a DNA specimen; provides that cost of sample is to be paid by the offender. Amends TCA Title 40, Chapter 35, Part 3.

On motion, Senate Bill No. 2922 was made to conform with **House Bill No. 2854**.

On motion, House Bill No. 2854, on same subject, was substituted for Senate Bill No. 2922.

**Senate Bill No. 3620** -- Naming and Designating -- As introduced, names pathway surrounding Tennessee Bicentennial Mall in honor of Andrea Conte.

On motion, Senate Bill No. 3620 was made to conform with **House Bill No. 3727**.

On motion, House Bill No. 3727, on same subject, was substituted for Senate Bill No. 3620.

**Senate Joint Resolution No. 668** -- Memorials, Congress -- Urges the U.S. Department of Health and Human Services to resolve a longstanding Medicare liability owed to Tennessee and all the States for Medicaid.

Senator Faulk moved that all Senate Joint Resolutions be adopted; and all House Bills be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . . 32  
Noes . . . . . 0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, Massey,

**MONDAY, APRIL 23, 2012 -- 75TH LEGISLATIVE DAY**

McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey--32.

A motion to reconsider was tabled.

**LOCAL BILL**  
**CONSENT CALENDAR**

**Senate Bill No. 3797** -- Cookeville -- As introduced, subject to local approval, incorporates by reference for Cookeville officers and employees present general law language related to conflict of interest and contracting. Amends Chapter 223 of the Private Acts of 1961.

On motion, Senate Bill No. 3797 was made to conform with **House Bill No. 3867**.

On motion, House Bill No. 3867, on same subject, was substituted for Senate Bill No. 3797.

**Senate Bill No. 3798** -- Portland -- As introduced, updates charter for the City of Portland. Amends Chapter 288 of the Acts of 1905; as repealed.

**Senate Bill No. 3810** -- Westmoreland -- As introduced, subject to local approval, specifies that persons elected as mayor and aldermen be installed into office on the first day of December rather than the first day of January, beginning with November, 2012 and 2014 elections. Amends Chapter 306 of the Private Acts of 1951.

Senator Faulk moved that all Senate Bills and House Bills be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . .	31
Noes . . . . .	0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Ford, Gresham, Harper, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey--31.

A motion to reconsider was tabled.

**CALENDAR NO. 1**

Senator Beavers moved that **Senate Bill No. 3323** be moved seventeen places down on Calendar No. 1 for today, which motion prevailed.

**Senate Bill No. 3412** -- Criminal Offenses -- As introduced, revises definitions of fetus as victim for criminal homicide and assaults to remove viability requirement and include an embryo; revises legislative intent statement. Amends TCA Title 39, Chapter 13.

On motion, Senate Bill No. 3412 was made to conform with **House Bill No. 3517**.

On motion, House Bill No. 3517, on same subject, was substituted for Senate Bill No. 3412.

On motion of Senator Beavers, Amendment No. 1 was withdrawn.

**MONDAY, APRIL 23, 2012 -- 75TH LEGISLATIVE DAY**

Thereupon, **House Bill No. 3517** passed its third and final consideration by the following vote:

Ayes . . . . . 28  
Noes . . . . . 2

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Henry, Johnson, Kelsey, Ketron, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey --28.

Senators voting no were: Kyle and Marrero--2.

A motion to reconsider was tabled.

**Senate Bill No. 3458** -- Taxes, Hotel Motel -- As introduced, authorizes the City of Newport to impose a tax on the privilege of occupancy. Amends TCA Title 7, Chapter 4 and Title 67, Chapter 4, Part 14.

Senator Yager moved to amend as follows:

**AMENDMENT NO. 1**

AMEND by deleting the second sentence in subsection (j) of Section 67-4-1425 in Section 1 and by substituting instead the following:

All proceeds received by the city from such tax shall be dedicated solely for tourism development.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 3458**, as amended, passed its third and final consideration by the following vote:

Ayes . . . . . 28  
Noes . . . . . 0

Senators voting aye were: Barnes, Beavers, Berke, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Henry, Johnson, Kelsey, Ketron, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey --28.

A motion to reconsider was tabled.

Senator Bell moved that **House Joint Resolution No. 587** be placed at the heel of Calendar No. 1 for today, which motion prevailed.

Senator Beavers moved that **House Joint Resolution No. 614** be placed at the heel of Calendar No. 1 for today, which motion prevailed.

**MONDAY, APRIL 23, 2012 -- 75TH LEGISLATIVE DAY**

Senator Watson moved that **Senate Bill No. 233** be moved ten places down on Calendar No. 1 for today, which motion prevailed.

**Senate Bill No. 3535** -- Health Care -- As introduced, adds certified brain injury specialist in certain cases to authorized adult care home caregivers; eliminates requirement that resident managers live on site where a certified brain injury specialist is present at all times at the location. Amends TCA Section 68-11-209.

Senator Crowe moved to amend as follows:

**AMENDMENT NO. 1**

AMEND by deleting the word "shall" in the amendatory language of Section 2 and by substituting instead the word "may".

AND FURTHER AMEND by deleting Section 3 in its entirety and by redesignating Section 4 as Section 3.

On motion, Amendment No. 1 was adopted.

Senator Crowe moved that Amendment No. 2 be placed at the heel of the Amendments, which motion prevailed.

Senator Crowe moved to amend as follows:

**AMENDMENT NO. 3**

AMEND by adding the following new section before the effective date section and by renumbering the effective date section accordingly:

SECTION 3. Tennessee Code Annotated, Title 68, Chapter 11, Part 2, is amended by adding the following appropriately numbered new section:

68-11-2\_\_\_. As an alternative to the licensing condition of offsite day services established by §§ 68-11-273 and 68-11-206(a)(2)(E) (as enacted by Chapter \_\_\_ of the Public Acts of 2012 (SB 2816/HB 2928)), a traumatic brain injury residential home serving only private pay or private insurance clients may provide day services for its residents on site as part of its comprehensive services.

AND FURTHER AMEND by deleting the effective date section and substituting instead the following:

SECTION 4. Sections 1 and 2 of this act shall take effect upon becoming a law, the public welfare requiring it. Section 3 shall take effect July 1, 2012, the public welfare requiring it.

On motion, Amendment No. 3 was adopted.

On motion of Senator Crowe, Amendment No. 2 was withdrawn.

Thereupon, **Senate Bill No. 3535**, as amended, passed its third and final consideration by the following vote:

Ayes . . . . . 31  
Noes . . . . . 0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Crowe, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Marrero, Massey, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey--31.

A motion to reconsider was tabled.

Senator Beavers moved that **Senate Bill No. 3597** be placed on the Calendar for Wednesday, April 25, 2012, which motion prevailed.

**House Bill No. 1572** -- Fire Prevention and Investigation -- As introduced, requires persons setting fires to woods or other property to give a minimum of three, instead of two, days' notice to adjacent landowners. Amends TCA Title 11, Chapter 4, Part 8 and Title 68, as amended.

Senator Beavers moved that Amendment No. 3 be placed at the heel of the Amendments, which motion prevailed.

Senator Ketron moved to amend as follows:

**AMENDMENT NO. 4**

AMEND by deleting Section 3 of the bill as amended in its entirety and by substituting instead the following new language:

SECTION 3.(a)(1) No property owner, person, corporation, limited liability company, partnership, natural person, agent of the owner, or any other entity who conducts a prescribed burn pursuant to the requirements of this act shall be liable for damage, injury or loss caused by fire unless negligence is proven.

(2) No property owner, person, corporation, limited liability company, partnership, natural person, agent of the owner, or any other entity who conducts a prescribed burn pursuant to the requirements of this act shall be liable for damage, injury or loss caused by the resulting smoke unless gross negligence is proven.

(b) Prescribed burning conducted in accordance with this section shall:

(1) Require that a written prescription be prepared, signed, and followed by the certified prescribed burn manager;

(2) Require that the certified prescribed burn manager maintain the prescription in the manager's records, and possess the prescription on site during all prescribed burnings;

(3) Occur only when at least one (1) certified prescribed burn manager is on site and supervising burns while they are being conducted;

(4) Require that the certified prescribed burn manager supervising the burns being conducted is the person who directly observes and coordinates the lighting of the fire to initiate the burn process;

(5) Require a burning permit be obtained from the division of forestry as required in § 39-14-306; and

(6) Be considered in the public interest and shall not constitute a public or private nuisance when conducted pursuant to state air pollution control statutes and rules applicable to prescribed burning.

(c) Certified prescribed burn managers shall take into account the variability of environmental conditions on site when preparing prescriptions, and shall include in each prescription a plan of action to address emergencies that could occur during prescribed burnings.

(d) The division of forestry is authorized to promulgate rules and regulations to effectuate the purposes of this act including, but not limited to, the certification of prescribed burn managers and guidelines for a prescribed burn prescription. All such rules and regulations shall be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in Title 4, Chapter 5.

On motion, Amendment No. 4 was adopted.

Senator Herron moved to amend as follows:

**AMENDMENT NO. 5**

AMEND by deleting the word "gross" from subdivision (a)(2) in Section 3 of the bill as amended by Senate Amendment #4 (drafting number 1678032).

On motion, Amendment No. 5 was adopted.

On motion of Senator Beavers, Amendment No. 3 was withdrawn.

Thereupon, **House Bill No. 1572**, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	30
Noes . . . . .	0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, Massey, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Watson, Yager and Mr. Speaker Ramsey--30.

A motion to reconsider was tabled.

**Senate Bill No. 2179** -- Criminal Offenses -- As introduced, creates Class A misdemeanor offenses of knowingly maiming or harming a service dog, recklessly maiming or harming a service dog and the Class C misdemeanor of interfering with a service dog in the performance of its duties and provides for restitution to the handler of the dog. Amends TCA Title 39, Chapter 14, Part 2.



Senator Beavers moved that Amendment No. 1 be placed behind Amendment No. 3, which motion prevailed.

Senator Henry moved that Amendment No. 2 be placed behind Amendment No. 1, which motion prevailed.

Senator Henry moved to amend as follows:

**AMENDMENT NO. 3**

AMEND by deleting the language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 14, Part 2, is amended by adding the following as a new section:

39-14-216.

(a)(1) As used in this section, "service animal" means:

(A) Any animal that is individually trained, or being trained by an employee or puppy raiser from a recognized training agency or school to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability; and

(B) Any police dog, fire dog, search and rescue dog, or police horse.

(2) Other species of animals not specified in this subsection, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition.

(3) For purposes of a service animal as defined under subdivision (a)(1)(A), the work or tasks performed by the service animal must be directly related to the handler's disability. Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. The crime deterrent effects of the animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of subdivision (a)(1)(A).

(b) It is an offense to knowingly:

(1) Maim or otherwise inflict harm upon a service animal;

(2) Attempt to maim or otherwise inflict harm upon a service animal; or

(3) Permit an animal that the person owns or is in the immediate control of to maim or otherwise inflict harm upon a service animal.

(c) It is an offense to recklessly maim or otherwise inflict harm upon a service animal or permit an animal that the person owns or is in the immediate control of to maim or otherwise inflict harm upon a service animal.

(d) It is an offense to knowingly interfere with a service animal in the performance of its duties, or permit an animal that the person owns or is in control of to interfere with a service animal in the performance of its duties.

(e)(1) A violation of subsection (b) or (c) is a Class A misdemeanor.

(2) A violation of subsection (d) is a Class C misdemeanor.

(f)(1) In addition to any other penalty provided by this section, a person convicted of a violation of subsection (b), (c) or (d) shall be ordered by the court to make full restitution for all damages that arise out of or are related to the offense, including incidental and consequential damages incurred by the service animal's handler or the recognized training agency or school.

(2) Restitution, for purposes of this section, includes:

(A) The value of the service animal if the animal is disabled or can no longer perform service animal duties;

(B) Replacement and training or retraining expenses of the service animal or handler if necessary to restore the animal to service animal capabilities;

(C) Veterinary and other medical and boarding expenses for the service animal;

(D) Medical expenses for the handler; and

(E) Lost wages or income incurred by the handler during any period that the handler is without the services of the service animal.

(g) If the violation of this section involves a guide dog and the offense results in injury to the dog that permanently deprives the owner of the use of the guide dog's services, nothing in this section shall preclude prosecution and conviction for such conduct under § 39-14-208.

**MONDAY, APRIL 23, 2012 -- 75TH LEGISLATIVE DAY**

SECTION 2. This act shall take effect July 1, 2012, the public welfare requiring it.

On motion, Amendment No. 3 was adopted.

On motion of Senator Beavers, Amendment No. 1 was withdrawn.

On motion of Senator Henry, Amendment No. 2 was withdrawn.

Thereupon, **Senate Bill No. 2179**, as amended, passed its third and final consideration by the following vote:

Ayes .....	32
Noes .....	0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Faulk, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, Massey, McNally, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey--32.

A motion to reconsider was tabled.

Senator Johnson moved that **Senate Bill No. 2638** be moved seven places down on Calendar No. 1 for today, which motion prevailed.

Senator Marrero moved that **Senate Bill No. 3142** be placed on the Calendar for Wednesday, April 25, 2012, which motion prevailed.

Senator Kelsey moved that **Senate Bill No. 3275** be rereferred to the Committee on Calendar, which motion prevailed.

**House Bill No. 2844** -- Election Laws -- As introduced, authorizes the Election Commission to designate a polling place outside the precinct it is to serve, but within the limits of the municipality, for a municipal election not held in conjunction with any other election. Amends TCA Title 2, Chapter 3, Part 1, as amended.

Senator Massey moved to amend as follows:

**AMENDMENT NO. 2**

AMEND by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 2-3-101(a), is amended by deleting the period at the end of the second sentence and adding the following language:

except for municipal elections not held in conjunction with:

- (1) Any primary election,
- (2) The regular August or November general elections,
- (3) Any special primary or special general election for state or federal offices; or

(4) The presidential preference primary,

if a polling place is located outside of the boundaries of a municipality but the precinct the polling place serves includes residents of the municipality, the County Election Commission may designate a polling place outside, but closest to the geographic precinct within the limits of the municipality, of the precinct it is to serve.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 2 was adopted.

Thereupon, **House Bill No. 2844**, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	30
Noes . . . . .	0

Senators voting aye were: Barnes, Beavers, Bell, Berke, Burks, Campfield, Finney, Ford, Gresham, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, Massey, McNally, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey--30.

A motion to reconsider was tabled.

Senator Beavers moved that **Senate Joint Resolution No. 693**, as amended, be moved one place down on Calendar No. 1 for today, which motion prevailed.

**Senate Joint Resolution No. 710** -- Constitutional Amendments -- As introduced, proposes an amendment to Article VI, Section 3 in order to constitutionally enshrine a system for selection of each appellate court judge by means of merit-based gubernatorial appointment with legislative confirmation and, thereafter, contingent upon a satisfactory job performance evaluation, retention election by the voters of the state, as amended.

Senator Kelsey moved that the Clerk read the resolution, which motion prevailed.

The Clerk read the resolution.

Thereupon, Mr. Speaker Ramsey declared pursuant to Article XI, Section 3, **Senate Joint Resolution No. 710**, as amended, had been read.

Thereupon, **Senate Joint Resolution No. 710**, as amended, was adopted by the following vote:

Ayes . . . . .	22
Noes . . . . .	9

Senators voting aye were: Barnes, Beavers, Bell, Crowe, Faulk, Finney, Ford, Gresham, Johnson, Kelsey, Ketron, Massey, McNally, Norris, Overbey, Roberts, Southerland, Summerville, Tracy, Watson, Yager and Mr. Speaker Ramsey--22.

**MONDAY, APRIL 23, 2012 -- 75TH LEGISLATIVE DAY**

Senators voting no were: Berke, Burks, Campfield, Haynes, Henry, Herron, Kyle, Marrero and Stewart--9.

A motion to reconsider was tabled.

**STATEMENT OF SENATOR BRIAN KELSEY  
PURSUANT TO RULE 61  
April 23, 2012**

Senate Joint Resolution No. 710 sets forth the method of selecting judges of the Supreme Court and of any intermediate appellate court. As of today, intermediate appellate courts include only the Court of Appeals and the Court of Criminal Appeals.

Under this resolution, the Governor has full discretion to appoint judges of the Supreme Court and of any intermediate appellate court. The words "by and at the discretion of the governor" are included to clarify that the Legislature cannot create a nominating commission or bind the governor's appointment power in any way. The governor may, at his discretion, create a nominating commission to assist him in his appointments, but the Legislature may not. The current Judicial Nominating Commission codified in Tennessee Code Annotated, Title 17, Chapter 4, Part 1 will be rendered unconstitutional as applied to judges of the Supreme Court and intermediate appellate courts if this resolution becomes part of the constitution.

After a judge is appointed, he must be confirmed by the Legislature before taking office. Confirmation may occur either by an affirmative act of the Legislature or by default. To affirmatively confirm an appointee, the House and Senate must both adopt a joint resolution of confirmation by a constitutional majority vote in each chamber. Confirmation or rejection may not occur by a joint vote like the ones referenced in Article III, Section 17 and Article VII, Section 3. Confirmation by default occurs if both the House and Senate fail to reject an appointee within sixty calendar days of either the date of appointment, if the appointment is made during the annual legislative session, or the convening date of the next annual legislative session, if the appointment is made out of session. The governor may convene a special session of the Legislature to affirmatively confirm a judicial appointee, but a special session will not affect the running of the sixty-day time limit on confirmation by default.

Affirmative rejection of a judicial appointee must pass both the Senate and the House of Representatives by a constitutional majority vote in each chamber within the sixty-day time limit. Rejection of a judicial appointee will be controlled by rules of the Senate and House of Representatives and perhaps also by statute. Such rules or statutes may or may not set forth a process as follows. Rejection may occur through the passage of a joint resolution of rejection by a constitutional majority vote in each chamber, if such votes occur prior to the running of the sixty-day time limit. Rejection may also occur by a constitutional majority vote in each chamber against adoption of a proposed joint resolution of confirmation, if such votes occur prior to the running of the sixty-day time limit.

If a judge is confirmed to fill a vacancy, the judge shall take office immediately upon confirmation. If a judge is confirmed for a full term, the judge shall take office September 1, as set forth in Article VII, Section 5, or immediately upon confirmation if such confirmation occurs after September 1.

The word "thereafter" is included prior to the mention of a retention election by the qualified voters of the state to show that there is a time lag between confirmation and retention election. Judges appointed and confirmed to a full term shall not be subject to retention election until the end

of the eight-year term. No reappointment or reconfirmation is necessary at the end of the term. There are no term limits on judges of the Supreme Court or of intermediate appellate courts. Such judges may run for reelection multiple times.

In the case of a judge appointed and confirmed to fill a vacancy, after the judge has been appointed and confirmed, the retention election occurs at the next biennial August election recurring more than thirty days after the vacancy occurs, in accordance with Article VII, Section 5 of the constitution. If such biennial August election is not the election at the end of the term, then such judge shall also stand for another retention election at the end of the term, if the judge seeks to serve a full eight-year term. All references to "appointment" in Article VII, Section 5, when read in conjunction with the new language of Article VI, Section 3, shall be read to mean "appointment and confirmation" as applied to judges of the Supreme Court or any intermediate appellate court.

The method of retention election may be set by statute. A retention election may be in the manner of the current "retain/replace" ballot question or the previous "yes/no" ballot question, but a retention election shall not be a contested election with multiple candidates on the ballot. The Legislature may set out in statute notification requirements for running for retention election such as those that exist in statute today. For example, the statute may require a judge seeking another term by retention election on the August ballot to provide notice of such intention by January. Such notice requirements would allow the governor and the Legislature time to appoint and confirm a new judge prior to the beginning of the term beginning September 1, if the incumbent judge did not seek election for another term.

If a judge loses a retention election, he may not continue to serve in office beginning the first day of September next succeeding his election. The governor may not appoint and the Legislature may not confirm the same judge for the same judicial office unless another judge has served in the office in the interim. Instead, a new judge shall be appointed and confirmed for a full term in accordance with this resolution.

The final of the three new sentences being added to the constitution mirrors the current second sentence that is being deleted. The word "rules" in the current constitution is replaced with "provisions" to clarify that the legislative power set forth in the sentence may be exercised either by rule or by statute. Deleting "the provisions of" shortens the sentence without losing meaning. The sentence expands legislative power from carrying out Article VI, Section 2 to carrying out Article VI, Sections 2 and 3. Such legislative rules or statutes, however, must be made merely to carry out the sections and may not conflict with the sections. For example, the creation of a nominating commission or the ability to bind gubernatorial appointment in any way does not fall within the legislative authorization to carry out Sections 2 and 3 of Article VI. The words "is authorized" replace the current "shall have power" to imply such limitation and to shorten the sentence.

The final two sentences currently in Article VI, Section 3 remain in the constitution under this resolution. They continue to control the age requirement, residency requirement, and term length of Judges of the Supreme Court. The age requirement, residency requirement, and term length for judges of the Court of Appeals, the Court of Criminal Appeals, and any other intermediate appellate court created by the Legislature is left to statute under this resolution.

#### **CALENDAR NO. 1**

**Senate Joint Resolution No. 693** -- Constitutional Amendments -- As introduced, proposes an amendment to Article VI, Section 5 to provide for selection of the state attorney general by means of gubernatorial appointment with legislative confirmation; and provides for a four-year term of office, as amended.

**MONDAY, APRIL 23, 2012 -- 75TH LEGISLATIVE DAY**

Senator Beavers moved that the Clerk read the resolution, which motion prevailed.

The Clerk read the resolution.

Thereupon, Mr. Speaker Ramsey declared pursuant to Article XI, Section 3, **Senate Joint Resolution No. 693**, as amended, had been read.

Thereupon, **Senate Joint Resolution No. 693**, as amended, failed for lack of a constitutional majority by the following vote:

Ayes . . . . .	16
Noes . . . . .	15
Present, not voting . . .	2

Senators voting aye were: Beavers, Bell, Campfield, Ford, Gresham, Johnson, Kelsey, Ketron, McNally, Norris, Roberts, Southerland, Tracy, Watson, Yager and Mr. Speaker Ramsey--16.

Senators voting no were: Barnes, Berke, Burks, Finney, Harper, Haynes, Henry, Herron, Kyle, Marrero, Massey, Overbey, Stewart, Summerville and Tate--15.

Senators present and not voting were: Crowe and Faulk--2.

A motion to reconsider was tabled.

Pursuant to Rule 62, **Senate Joint Resolution No. 693**, as amended, was rereferred to Committee on Calendar.

**MOTION**

Senator Norris moved that Rule 39 be suspended for the purpose of allowing amendments to the Appropriations Bill filed by 5:00 p.m., Tuesday, April 24, 2012, be considered timely filed, which motion prevailed.

**MOTION**

Senator Kyle moved that Rule 37 be suspended for the purpose of placing **Senate Bill No. 3002** fifth on the Calendar for Tuesday, April 24, 2012, which motion failed by the following vote:

Ayes . . . . .	17
Noes . . . . .	8
Present, not voting . . .	5

Senators voting aye were: Barnes, Beavers, Bell, Berke, Campfield, Finney, Ford, Harper, Haynes, Henry, Herron, Kyle, Marrero, Norris, Overbey, Stewart and Tate--17.

Senators voting no were: Burks, Gresham, Johnson, Ketron, Roberts, Summerville, Watson and Mr. Speaker Ramsey--8.

Senators present and not voting were: Kelsey, Massey, McNally, Tracy and Yager--5.

MOTION

On motion of Senator Ford, her name was added as sponsor of **Senate Bills Nos. 781, 782, 804, 805 and 3535; and House Joint Resolution No. 914.**

On motion of Senators Ford and Overbey, their names were added as sponsors of **Senate Bill No. 2179.**

On motion of Senator Yager, his name was added as sponsor of **Senate Bill No. 2251; and House Joint Resolutions Nos. 919, 920, 921, 922 and 923.**

On motion of Senator Tracy, his name was added as sponsor of **Senate Bill No. 2580.**

On motion of Senator Roberts, his name was added as sponsor of **Senate Bill No. 2607; and House Joint Resolutions Nos. 932 and 978.**

On motion of Senator McNally, his name was added as sponsor of **Senate Bill No. 2711; and House Joint Resolutions Nos. 974 and 975.**

On motion of Senator Berke, his name was removed as sponsor of **Senate Bill No. 2789.**

On motion of Senator Burks, her name was added as sponsor of **Senate Bill No. 2922; and House Joint Resolutions Nos. 924 and 925.**

On motion of Senator Crowe, his name was added as sponsor of **Senate Bill No. 3018.**

On motion of Senators Gresham and Roberts, their names were added as sponsors of **Senate Bills Nos. 3323, 3412 and 3597.**

On motion of Senator Campfield, his name was added as prime sponsor of **Senate Bill No. 3485.**

On motion of Senator Tate, his name was removed as sponsor of **Senate Bill No. 3485.**

On motion of Senator Campfield, his name was added as prime sponsor of **Senate Bill No. 3492.**

On motion of Senator Tate, his name was removed as sponsor of **Senate Bill No. 3492.**

On motion of Senator Ketron, his name was added as prime sponsor of **Senate Bill No. 3507.**

On motion of Senator Tate, his name was removed as sponsor of **Senate Bill No. 3507.**

On motion of Senators Berke, Burks, Finney, Ford, Herron and Kyle, their names were added as sponsors of **Senate Bill No. 3620.**

On motion of Senators Beavers and Massey, their names were added as sponsors of **Senate Bills Nos. 3762 and 3763.**



**MONDAY, APRIL 23, 2012 -- 75TH LEGISLATIVE DAY**

On motion of Senator Tate, his name was added as sponsor of **Senate Joint Resolutions Nos. 757 and 758; and House Joint Resolutions Nos. 953 and 985.**

On motion of Senator Marrero, her name was added as sponsor of **Senate Joint Resolutions Nos. 781, 782, 804 and 805; and House Joint Resolutions Nos. 917, 959 and 961.**

On motion of Senators Harper and Herron, their names were added as sponsors of **Senate Joint Resolution No. 803.**

On motion of Senator Herron, his name was added as sponsor of **Senate Joint Resolutions Nos. 841, 842, 843, 844, 845, 846, 847, 848 and 856; and House Joint Resolution No. 970.**

On motion of Senator Berke, his name was added as sponsor of **Senate Joint Resolution No. 857; and Senate Resolutions Nos. 114, 115, 116, 117, 118, 119 and 120.**

On motion, all Senators' names were added as sponsors of **Senate Joint Resolutions Nos. 807 and 808.**

On motion of Senator Finney, his name was added as sponsor of **Senate Joint Resolutions Nos. 865 and 868.**

On motion of Senators Massey, Campfield, McNally, Haynes, Barnes, Beavers, Bell, Berke, Burks, Crowe, Faulk, Finney, Ford, Gresham, Harper, Henry, Johnson, Kelsey, Ketron, Kyle, Marrero, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Yager and Mr. Speaker Ramsey, their names were added as sponsors of **Senate Joint Resolution No. 878.**

On motion of Senators Ford, Kyle and Stewart, their names were added as sponsors of **House Joint Resolution No. 636.**

On motion of Senators Berke, Burks, Ford, Herron, Kyle, Marrero and Norris, their names were added as sponsors of **House Joint Resolution No. 773.**

On motion of Senators Berke, Burks, Ford, Harper, Henry, Herron, Kyle, Marrero, Norris and Stewart, their names were added as sponsors of **House Joint Resolution No. 783.**

On motion of Senators Berke, Burks, Ford, Harper, Henry, Herron, Kyle, Marrero, Norris, Overbey, Stewart and Yager, their names were added as sponsors of **House Joint Resolution No. 824.**

On motion of Senators Berke, Burks, Ford, Harper, Henry, Herron, Kyle, Marrero, Massey, Norris, Overbey, Stewart and Yager, their names were added as sponsors of **House Joint Resolution No. 843.**

On motion of Senators Barnes, Berke, Burks, Finney, Ford, Henry, Herron, Kyle, Marrero, Norris and Stewart, their names were added as sponsors of **House Joint Resolution No. 847.**

On motion of Senators Ford, Kelsey, Kyle, Marrero, Norris and Tate, their names were added as sponsors of **House Joint Resolution No. 915.**

**MONDAY, APRIL 23, 2012 -- 75TH LEGISLATIVE DAY**

On motion of Senator Gresham, her name was added as sponsor of **House Joint Resolution No. 918**.

On motion of Senators Burks and Yager, their names were added as sponsors of **House Joint Resolutions Nos. 926 and 927**.

On motion of Senators Harper and Overbey, their names were added as sponsors of **House Joint Resolution No. 928**.

On motion of Senator Overbey, his name was added as sponsor of **House Joint Resolutions Nos. 929, 930, 941, 943, 944, 945, 946, 977 and 983**.

On motion of Senator Beavers, her name was added as sponsor of **House Joint Resolution No. 931**.

On motion of Senators Barnes, Ford, Henry, Herron, Kyle, Norris, Overbey and Yager, their names were added as sponsors of **House Joint Resolution No. 934**.

On motion of Senators Berke, Ford, Kyle, Norris and Overbey, their names were added as sponsors of **House Joint Resolution No. 935**.

On motion of Senators Kyle and Marrero, their names were added as sponsors of **House Joint Resolution No. 938**.

On motion of Senator Bell, his name was added as sponsor of **House Joint Resolutions No. 949 and 968**.

On motion of Senators Gresham, Herron and Stewart, their names were added as sponsors of **House Joint Resolution No. 950**.

On motion of Senators Ford, Henry, Herron, Kyle, Norris and Overbey, their names were added as sponsors of **House Joint Resolution No. 952**.

On motion of Senators Harper, Ford, Kelsey, Kyle, Marrero, Norris, Tate, Berke, Gresham, Henry, Herron, Overbey and Stewart, their names were added as sponsors of **House Joint Resolution No. 958**.

On motion of Senators Stewart and Tracy, their names were added as sponsors of **House Joint Resolution No. 962**.

On motion of Senator Johnson, his name was added as sponsor of **House Joint Resolutions Nos. 963, 966, 971, 972 and 973**.

On motion of Senators Ford, Kelsey, Kyle, Marrero, Norris, Tate and Gresham, their names were added as sponsors of **House Joint Resolution No. 967**.

On motion of Senators Overbey, Ford and Norris, their names were added as sponsors of **House Joint Resolution No. 976**.

On motion of Senators Faulk and Herron, their names were added as sponsors of **House Joint Resolution No. 982**.

**MONDAY, APRIL 23, 2012 -- 75TH LEGISLATIVE DAY**

On motion of Senators Ford, Kelsey, Kyle, Marrero, Norris, Tate and Harper, their names were added as sponsors of **House Joint Resolution No. 986**.

On motion of Senators Ford and Roberts, their names were added as sponsors of **House Joint Resolution No. 987**.

**ENGROSSED BILLS**

April 23, 2012

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully examined Senate Bills Nos. 2179, 3798 and 3810; and Senate Joint Resolutions Nos. 710, 872, 878 and 886; and find same correctly engrossed and ready for transmission to the House.

ALAN WHITTINGTON,  
Deputy Chief Clerk.

**ENGROSSED BILLS**

April 23, 2012

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully examined Senate Bills Nos. 3458 and 3535; and Senate Joint Resolutions Nos. 668, 781, 782, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868 and 869; and find same correctly engrossed and ready for transmission to the House.

ALAN WHITTINGTON,  
Deputy Chief Clerk.

**MESSAGE FROM THE HOUSE**

April 23, 2012

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 2994, 3218 and 3270; passed by the House.

JOE MCCORD,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

April 23, 2012

MR. SPEAKER: I am directed to transmit to the Senate, House Bill No. 3875, passed by the House.

JOE MCCORD,  
Chief Clerk.

**MONDAY, APRIL 23, 2012 -- 75TH LEGISLATIVE DAY**

**MESSAGE FROM THE HOUSE**

April 23, 2012

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 617 and 807, adopted, for the Senate's action.

JOE MCCORD,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

April 23, 2012

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 890, 988, 989, 990, 991, 992, 993, 994, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015 and 1016; adopted, for the Senate's action.

JOE MCCORD,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

April 23, 2012

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 2179 and 3759, substituted for House Bills on same subjects and passed by the House.

JOE MCCORD,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

April 23, 2012

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 2289, 2712, 3195 and 3331; substituted for House Bills on same subjects and passed by the House.

JOE MCCORD,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

April 23, 2012

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 2519, 2719, 2789, 3594 and 3798; substituted for House Bills on same subjects and passed by the House.

JOE MCCORD,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

April 23, 2012

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 2988 and 3810, substituted for House Bills on same subjects and passed by the House.

JOE MCCORD,  
Chief Clerk.

**MONDAY, APRIL 23, 2012 -- 75TH LEGISLATIVE DAY**

**MESSAGE FROM THE HOUSE**

April 23, 2012

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 568, 569 and 578; concurred in by the House.

JOE MCCORD,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

April 23, 2012

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolution No. 872, concurred in by the House.

JOE MCCORD,  
Chief Clerk.

**MESSAGE FROM THE HOUSE**

April 23, 2012

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 2161, 2403, 2537, 2744, 2823, 2913, 3274 and 3398; for the signature of the Speaker.

JOE MCCORD,  
Chief Clerk.

**REPORT OF COMMITTEE ON CALENDAR  
LOCAL BILL  
CONSENT CALENDAR**

Pursuant to Rule 26, the following bills have been set on the Consent Calendar for Tuesday, April 24, 2012: Senate Bills Nos. 3800 and 3804.

This the 23rd day of April, 2012.  
MIKE FAULK, Chairperson.

**ADJOURNMENT**

Senator Norris moved the Senate adjourn until 1:00 p.m., Tuesday, April 24, 2012, which motion prevailed.